

REMARKS

The Official Action dated June 17, 2003 has been carefully considered. Accordingly, the changes presented herewith, taken with the following remarks, are believed sufficient to place the present application in condition for allowance. Reconsideration is respectfully requested.

By the present amendment, claims 60-61 and 67 are cancelled. Claims 27, 28, 33, 35-44, 46, 47, 50, 53, 55-57, 62-66 remain in the application. Claims 28, 43, 44, 46, 47, 55-57, 64 and 65 have been allowed. Claims 39 and 40 have been amended to independent form. It is believed that these changes do not involve any introduction of new matter, and do not raise any new issue, whereby entry is believed to be in order and is respectfully requested.

Claims 39 and 40 were objected to as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicants traverse Examiner's position, however, to expedite prosecution of the application, claims 39 and 40 have been amended to independent form, pursuant to the Examiner's suggestion. Accordingly, it is believed that this objection has been overcome. Reconsideration is respectfully requested.

Claims 37-40, 60-61 and 66 were rejected under 35 U.S.C. §101 as claiming the same invention as claims 27, 35-36, 53 and 67, respectively. With respect to claims 37 and 39, the Examiner asserted that these claims are a substantial duplicate of claim 35. Applicants traverse the Examiner's position and reconsideration is respectfully requested. More particularly, claims 37 and 39 are directed to methods for mediating transgenic intramolecular recombination selected from deletions of DNA sequences located between two *six* sites and inversions of DNA sequences located between two *six* sites, in *in vitro* mammalian cells, wherein an intramolecular deletion of a **DNA sequence** located between **two directly oriented *six* sites** is obtained (claim 37) and wherein an intramolecular deletion of a **DNA sequence** located between **direct repeated DNA sequences containing *six* sites** is

obtained (claim 39). In contrast, in claim 35, an intramolecular deletion of **DNA sequences** located between **directly oriented six sites** is obtained. Thus, the method of claim 35 is not identical and is directed to a method of different scope as to those of claims 37 and 39.

With respect to claims 38 and 40, the Examiner asserted that these claims are a substantial duplicate of claim 36. Applicants traverse the Examiner's position and reconsideration is respectfully requested. More particularly, claims 38 and 40 are directed to methods for mediating transgenic intramolecular recombination selected from deletions of DNA sequences located between two *six* sites and inversions of DNA sequences located between two *six* sites, in *in vitro* mammalian cells, wherein an intramolecular inversion of a **DNA sequence** located between **two inversely oriented six sites** is obtained (claim 38) and wherein an intramolecular inversion of a **DNA sequence** located between **inverted repeated DNA sequences containing six sites** is obtained (claim 40). In contrast, in claim 36, an intramolecular inversion of **DNA sequences** located between **inverted repeated six sites** is obtained. Thus, the method of claim 36 is not identical and is directed to a method of different scope as to those of claims 38 and 40.

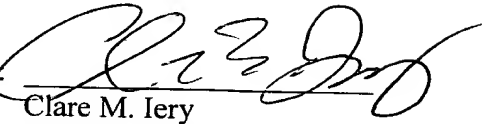
With respect to claims 60 and 61, the Examiner asserted that these claims are a substantial duplicate of claims 27 and 53, respectively. With respect to claim 66, the Examiner asserted that the claim is substantial duplicate of claim 67. Applicants traverse the Examiner's position, however, to expedite prosecution of the application, claims 60-61 and 67 have been cancelled.

It is therefore submitted that the statutory double patenting rejection under 35 U.S.C. §101 has been overcome. Reconsideration is respectfully requested.

It is believed that the above represents a complete response to the objection and rejections under 35 U.S.C. §101, and places the present application in condition for allowance. Reconsideration and an early allowance are requested.

Application No. 09/158,272
Amdt. Dated September 17, 2003
Reply to Official Action of June 17, 2003

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